

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-NY
DOC #:
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DOC #: <u>9/19/11</u>
DATE FILED: <u>9/19/11</u>

PATRICIA KANE, WENDY
BRAITHWAITE, and MAUREEN EISELE,

Plaintiffs,

-v-

NEW YORK STATE NURSES
ASSOCIATION, TINA GERARDI, KAREN
BALLARD, J. HOWARD DOUGHTY,
EILEEN DUNN, MARY FINNIN, MIMI
GONZALEZ, WINIFRED KENNEDY,
ELIZABETH MAHONEY, and JOSÉ
PLANILLO

Defendants.

No. 11 Civ. 6505 (RJS)
ORDER TO SHOW CAUSE

RICHARD J. SULLIVAN, District Judge:

Upon review of the Complaint, the Declaration of Patricia Kane dated September 18, 2011, the Memorandum of Law in Support of an Application for a Preliminary Injunction and Temporary Restraining Order, and the various exhibits attached thereto,

IT IS HEREBY ORDERED that on September 23, 2011 at 10:00 a.m., Defendants shall appear before this Court at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, Room 21C, New York, New York, in order to show cause as to why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Defendants during the pendency of this action from proceeding to vote on a proposed amendment to the bylaws of Defendant New York State Nurses Association ("NYSNA") that

would restrict the ability of members to serve in more than "one elective position in NYSNA at any one time."

IT IS HEREBY ORDERED that Defendants' written response to the Order to Show Cause, if any, shall be filed by September 21, 2011 at 5:00 p.m.

IT IS FURTHER ORDERED that personal service of a copy of this Order, and all accompanying papers on the office of counsel for NYSNA, Spivak Lipton LLP, Attn: Elizabeth Orfan, 1700 Broadway, Suite 2100, New York, N.Y. 10019, on or before September 19, 2011 at 5:00 p.m., shall be deemed good and sufficient service thereof.

IT IS FURTHER ORDERED that Plaintiffs shall file an affidavit of service with the Court by September 20, 2011 indicating that service has been effectuated. Plaintiffs shall also upload the Complaint, and all other supporting documents annexed to the proposed Order to Show Cause on ECF by September 20, 2011.

SO ORDERED.

Dated: September 19, 2011
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE